
From: Nagle, Deborah
Sent: Friday, June 06, 2014 5:17 PM
To: Mitschele, Becky; Yager, Scott
Subject: Progressive Farmer FOIA _ Responsive Records 5 of 11 FW: (state) Amended Freedom of Information Act Response # 2012-1337 and 2012-1516
Attachments: Garrigan.pdf; Dunn.pdf

From: Wiedeman, Allison
Sent: Tuesday, April 30, 2013 5:03 PM
To: adunn@acwa-us.org; lgarrigan@ecos.org
Cc: Gilinsky, Ellen; Bittleman, Sarah; Nagle, Deborah; Sawyers, Andrew; Mitschele, Becky; Neugeboren, Steven; srolland@acwa-us.org
Subject: (state) Amended Freedom of Information Act Response # 2012-1337 and 2012-1516

Dear ACWA and ECOS -

After careful review of the state CAFO data requested and released via FOIA to NRDC, EarthJustice and Pew, EPA will be providing a second amended version of this data. The new data contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted.

Please find attached the letter that was mailed to each of you today along with a new CD of responsive records that were shared with the requesters. If you have any questions please feel free to call me at 202-564-0901.

*Allison Wiedeman, Chief
Rural Branch
Water Permits Division, Office of Water
202-564-0901
1200 Pennsylvania Ave.,
Washington, DC 20460*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Lee Garrigan
Senior Project Manager
The Environmental Council of the States
50 F Street, Suite 350
Washington, DC 20001

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Lee Garrigan:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

I am requesting that you return the previously released disks (from the week of February 10 and April 4) and that any electronic or paper files containing information from these disks be destroyed. Please return the previously released disks to: Becky Mitschele, EPA, MC 4203M, 1200 Pennsylvania Ave., Washington DC 20460. We also request that you confirm that you have destroyed all copies of this information. Please contact me at (202) 564-0901 or Becky Mitschele at (202) 564-6418 if you have any questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Allison P. Wiedeman", is written over a horizontal line.

Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Alexandra Dunn
Executive Director
Association of Clean Water Administrators
1221 Connecticut Avenue, 2nd Floor
Washington, DC 20036

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Ms. Dunn:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

A handwritten signature in cursive script, appearing to read "Allison Wiedeman", is written over the typed name.

Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk

From: Nagle, Deborah
Sent: Friday, June 06, 2014 5:18 PM
To: Mitschele, Becky; Yager, Scott
Subject: Progressive Farmer FOIA _ Responsive Records 6 of 11FW: FW: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516
Attachments: Bennett.pdf; Bredwell.pdf; Colville.pdf; Formica.pdf; Hebert.pdf; Inall.pdf; Kelley.pdf; McDonald.pdf; Parrish.pdf; Richter.pdf

From: Wiedeman, Allison
Sent: Tuesday, April 30, 2013 5:00 PM
To: formicam@nppc.org; donp@fb.org; amcdonald@beef.org; lkelley@ncfc.org; mcolville@chickenusa.org; crichter@thepolicygroup.com; dinall@unitedegg.com; rbennett@nmpf.org; pbredwell@poultryegg.org; tom.hebert@bayardridge.com
Cc: Bittleman, Sarah; Gilinsky, Ellen; Nagle, Deborah; Sawyers, Andrew; Mitschele, Becky; Neugeboren, Steven
Subject: FW: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516

Dear Animal Agriculture Stakeholders,

After careful review of the state CAFO data requested and released via FOIA to NRDC, EarthJustice and Pew, EPA will be providing a second amended version of this data. The new data contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted.

Please find attached the letter that was mailed to each of you today along with a new CD of responsive records that were shared with the requesters. If you have any questions please feel free to call me at 202-564-0901.

Sincerely,

*Allison Wiedeman, Chief
Rural Branch
Water Permits Division, Office of Water
202-564-0901
1200 Pennsylvania Ave.,
Washington, DC 20460*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Ryan Bennett
Director, Government Relations
National Milk Producers Federation
2101 Wilson Blvd., Suite 400
Arlington, VA 22201

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Bennett:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Paul J. Bredwell III, P.E.
Vice President - Environmental Programs
U. S. Poultry & Egg Association
1530 Cooledge Road
Tucker, Georgia 30084

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Bredwell:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

I am requesting that you return the previously released disks (from the week of February 10 and April 4) and that any electronic or paper files containing information from these disks be destroyed. Please return the previously released disks to: Becky Mitschele, EPA, MC 4203M, 1200 Pennsylvania Ave., Washington DC 20460. We also request that you confirm that you have destroyed all copies of this information. Please contact me at (202) 564-0901 or Becky Mitschele at (202) 564-6418 if you have any questions concerning this matter.

Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Mary Colville
Vice President of Government Affairs
National Chicken Council
1152 Fifteenth Street, NW, Suite 430
Washington, D.C. 20005-2622

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Ms. Colville:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

I am requesting that you return the previously released disks (from the week of February 10 and April 4) and that any electronic or paper files containing information from these disks be destroyed. Please return the previously released disks to: Becky Mitschele, EPA, MC 4203M, 1200 Pennsylvania Ave., Washington DC 20460. We also request that you confirm that you have destroyed all copies of this information. Please contact me at (202) 564-0901 or Becky Mitschele at (202) 564-6418 if you have any questions concerning this matter.

Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Michael C. Formica, Esq.
Chief Environmental Counsel
National Pork Producers Council
122 C Street, NW, Suite 875
Washington, D.C. 20001

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Formica:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Tom Hebert
Principal
Bayard Ridge Group LLC
4440 Faraday Place NW
Washington, DC 20016-4053

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Hebert:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

A handwritten signature in black ink, appearing to read "Allison P. Wiedeman", is positioned above the typed name.

Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

David Inall
Senior Vice President
United Egg Producers
1720 Windward Concourse, Suite 230
Alpharetta, GA 30005

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Inall:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

A handwritten signature in black ink, appearing to read "All Wiede", is positioned above the typed name of Allison P. Wiedeman.

Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Lisa Kelley
Vice President & Chief of Staff, Government Affairs
National Council of Farmer Cooperatives
50 F Street NW, Suite 900
Washington, DC 20001

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Ms. Kelley:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Ashley McDonald
Deputy Environmental Counsel
National Cattlemen's Beef Association
1301 Pennsylvania Avenue NW, Suite 300
Washington, D.C. 20004

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Ms. McDonald:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Don Parrish
Senior Director, Regulatory Relations
American Farm Bureau Federation
600 Maryland Ave. SW, Suite 1000W
Washington DC 20024

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Parrish:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

A handwritten signature in dark ink, appearing to read "Allison P. Wiedeman", is written over a horizontal line.

Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 30, 2013

OFFICE OF WATER

Christian Richter
The Policy Group, LLC
700 12th Street NW, Suite 700
Washington, DC 20005

RE: Amended Freedom of Information Act Response # 2012-1337 and 2012-1516.

Dear Mr. Richter:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains all information released through the first amended response, except that the data the EPA released for operations in Montana and Nebraska has been further redacted. The EPA has redacted additional names of individuals, telephone numbers, personal addresses, and notations about private matters in these two states pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6).

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Sincerely,

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Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Enclosed disk

From: Nagle, Deborah
Sent: Friday, June 06, 2014 5:18 PM
To: Mitschele, Becky; Yager, Scott
Subject: Progressive Farmer FOIA _ Responsive Records 7 of 11FW: (Requestors) Amended Freedom of information Act Response #2012-1337 and 2012-1516
Attachments: Devine.pdf; Gartner.pdf; Steuer.pdf

From: Wiedeman, Allison
Sent: Tuesday, April 30, 2013 4:56 PM
To: egartner@earthjustice.org; ksteuer@pewtrusts.org; jdevine@nrdc.org
Cc: Gilinsky, Ellen; Bittleman, Sarah; Sawyers, Andrew; Nagle, Deborah; Neugeboren, Steven; Mitschele, Becky
Subject: (Requestors) Amended Freedom of information Act Response #2012-1337 and 2012-1516

Dear Eve, Jon and Karen,

After careful review of the state CAFO data requested and released via FOIA to you, EPA will be providing a second amended version of this data.

As a result of our review, EPA has added several responsive documents that were inadvertently omitted and redacted some additional privacy-related information related to facilities in Montana and Nebraska.

Please find attached the letter that was mailed to each of you today along with a new CD of responsive records. If you have any questions please feel free to call me at 202-564-0901.

*Allison Wiedeman, Chief
Rural Branch
Water Permits Division, Office of Water
202-564-0901
1200 Pennsylvania Ave.,
Washington, DC 20460*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF WATER

April 30, 2013

Jon P. Devine, Jr.
Senior Attorney, Water Program
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005

RE: Amended Freedom of Information Act Response # 2013-001516

Dear Mr. Devine:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains largely the same information released in the first amended response. The information released in this second amended response, however, reflects an additional quality-assurance review that EPA has conducted to ensure that requestors have obtained all responsive information, but none that is subject to protection pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6). As a result of this review, the EPA has added several responsive documents that were inadvertently omitted and redacted some additional privacy-related information related to facilities in Montana and Nebraska.

This amended response, as was the case for the previous responses, does not include certain documents or portions of documents, which have been determined to be exempt from mandatory disclosure pursuant to FOIA Exemption 5, 5 U.S.C. § 552(b)(5) ("inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency") and 40 C.F.R. § 2.105(a). The withheld Exemption 5 documents include materials that would be protected under the attorney-client privilege and deliberative process privilege. See attachment to this letter.

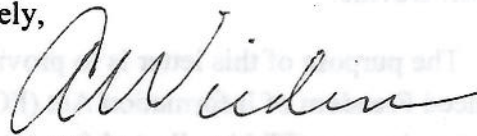
I am requesting that you return the previously released disks (from the January 31 and April 4 release) and that any copy of electronic or paper files of the January 31 or April 4 release be destroyed. Please return the previously released disks to: Becky Mitschele, EPA, MC 4203M, 1200 Pennsylvania Ave., Washington DC 20460. We also request that you confirm that you have destroyed all copies of this information.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

This letter concludes our response to your request. You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the tracking number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact me at (202) 564-0901 or Becky Mitschele at (202) 564-6418 if you have any questions concerning this matter.

Sincerely,



Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Attachment

ATTACHMENT: Itemized List by Category of Withheld Material

Date Range	Description of Document/Document Category	Exemption	Approximate (Approx.) Number of Documents	Approx. Number of Pages
5/1/2012 to 11/1/2012	Internal, pre-decisional drafts of documents, including briefing documents or notes during state conference calls, that refer or relate to the completeness, accuracy, or public accessibility of CAFO information maintained by states.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	146	293
2/1/2012 to 11/1/2012	Internal, pre-decisional drafts of documents that refer or relate to how EPA should gather CAFO information and EPA's progress on obtaining existing CAFO information.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	88	206
5/15/2012 to 7/30/2012	Internal, pre-decisional drafts of documents that refer or relate to the Memorandum of Understanding between EPA and the Association of Clean Water Administrators.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	18	39
10/15/2012 to 11/1/2012	Internal, pre-decisional drafts of briefing documents, desk statements, communication strategies, internal agency workgroup meeting materials, website revisions, Federal Register Notice versions, talking points, EPA office to office memoranda, and/or comment summary documents that refer or relate to the Agency's withdrawal of the proposed NPDES CAFO Reporting Rule.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	222	3,264
5/01/12 to 12/01/12	Records containing facility-specific information that includes telephone numbers, email address, names and addresses of individuals, and notations related to personal matters for AFOs/CAFOs.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	15	45



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF WATER

April 30, 2013

Eve C. Gartner, Esq.
Earthjustice
156 William St., Suite 800
New York, NY 10038-5326

RE: Amended Freedom of Information Act Response # 2012-1337 (previously HQ-FOI-01980-12)

Dear Ms. Gartner:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains largely the same information released in the first amended response. The information released in this second amended response, however, reflects an additional quality-assurance review that EPA has conducted to ensure that requestors have obtained all responsive information, but none that is subject to protection pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6). As a result of this review, the EPA has added several responsive documents that were inadvertently omitted and redacted some additional privacy-related information related to facilities in Montana and Nebraska.

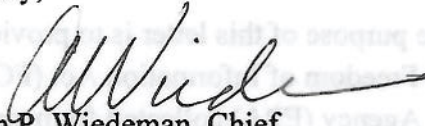
This amended response, as was the case for the previous responses, does not include certain documents or portions of documents, which have been determined to be exempt from mandatory disclosure pursuant to FOIA Exemption 5, 5 U.S.C. § 552(b)(5) ("inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency") and 40 C.F.R. § 2.105(a). The withheld Exemption 5 documents include materials that would be protected under the attorney-client privilege and deliberative process privilege. See attachment to this letter.

I am requesting that you return the previously released disks (from the February 4 and April 4 release) and that any copy of electronic or paper files of the February 4 or April 4 release be destroyed. Please return the previously released disks to: Becky Mitschele, EPA, MC 4203M, 1200 Pennsylvania Ave., Washington DC 20460. We also request that you confirm that you have destroyed all copies of this information.

This letter concludes our response to your request. You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service, or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the tracking number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact me at (202) 564-0901 or Becky Mitschele at (202) 564-6418 if you have any questions concerning this matter.

Sincerely,



Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Attachment

ATTACHMENT: Itemized List by Category of Withheld Material

Date Range	Description of Document/Document Category	Exemption	Approximate (Approx.) Number of Documents	Approx. Number of Pages
5/1/2012 to 11/1/2012	Internal, pre-decisional drafts of documents, including briefing documents or notes during state conference calls, that refer or relate to the completeness, accuracy, or public accessibility of CAFO information maintained by states.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	146	293
2/1/2012 to 11/1/2012	Internal, pre-decisional drafts of documents that refer or relate to how EPA should gather CAFO information and EPA's progress on obtaining existing CAFO information.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	88	206
5/15/2012 to 7/30/2012	Internal, pre-decisional drafts of documents that refer or relate to the Memorandum of Understanding between EPA and the Association of Clean Water Administrators.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	18	39
10/15/2012 to 11/1/2012	Internal, pre-decisional drafts of briefing documents, desk statements, communication strategies, internal agency workgroup meeting materials, website revisions, Federal Register Notice versions, talking points, EPA office to office memoranda, and/or comment summary documents that refer or relate to the Agency's withdrawal of the proposed NPDES CAFO Reporting Rule.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	222	3,264
5/01/12 to 12/01/12	Records containing facility-specific information that includes telephone numbers, email address, names and addresses of individuals, and notations related to personal matters for AFOs/CAFOs.	5 U.S.C. § 552(b) and 40 C.F.R. § 2.105(a)	15	45



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF WATER

April 30, 2013

Karen Steuer
Director, Government Relations
The Pew Charitable Trusts
901 E St. NW
Washington, DC 20004-2008

RE: Amended Freedom of Information Act Response # 2013-001516

Dear Ms. Steuer:

The purpose of this letter is to provide you a second amended response to the above-referenced Freedom of Information Act (FOIA) request for data the U.S. Environmental Protection Agency (EPA) collected from states regarding Concentrated Animal Feeding Operations (CAFOs). The enclosed disk contains largely the same information released in the first amended response. The information released in this second amended response, however, reflects an additional quality-assurance review that EPA has conducted to ensure that requestors have obtained all responsive information, but none that is subject to protection pursuant to FOIA Exemption 6. 5 U.S.C. § 552(b)(6). As a result of this review, the EPA has added several responsive documents that were inadvertently omitted and redacted some additional privacy-related information related to facilities in Montana and Nebraska.

This amended response, as was the case for the previous responses, does not include certain documents or portions of documents, which have been determined to be exempt from mandatory disclosure pursuant to FOIA Exemption 5, 5 U.S.C. § 552(b)(5) ("inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than agency in litigation with the agency") and 40 C.F.R. § 2.105(a). The withheld Exemption 5 documents include materials that would be protected under the attorney-client privilege and deliberative process privilege. See attachment to this letter.

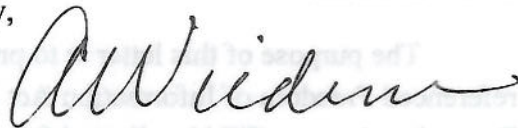
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Please contact me at (202) 564-0901 or Becky Mitschele at (202) 564-6418 if you have any questions concerning this matter.

Sincerely,



Allison P. Wiedeman, Chief
Rural Branch
Office of Wastewater Management

Attachment

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From: Nagle, Deborah
Sent: Friday, June 06, 2014 5:20 PM
To: Mitschele, Becky; Yager, Scott
Subject: Progressive Farmer FOIA _ Responsive Records 10 of 11FW: Critical
Attachments: Fixes.docx

Importance: High

From: Alexandra Dunn <adunn@acwa-us.org>
Sent: Friday, March 1, 2013 1:27 PM
To: Nagle, Deborah
Subject: Critical

Dear Deborah,

The letter Nancy sent last night contains two sentences when read together makes it appear that ACWA delivered 30 states' data to EPA. We did not deliver or transmit any data. This must be clarified in a supplement to Nancy's letter as ACWA's very existence is threatened by the suggestion that the Association transmitted data.

Attached is a suggested clarification to Nancy's letter.

Please let me know the status.

Alexandra Dapolito Dunn, Esq.

Executive Director & General Counsel

Association of Clean Water Administrators--"The Voice of States & Interstates"

1221 Connecticut Ave. , NW, 2d Floor

Washington, DC 20036

202-756-0600 (T); 202-230-4247 (C); 202-756-0605 (F)

adunn@acwa-us.org; www.acwa-us.org

Save The Date: ACWA's 52nd Annual Meeting, The Lodge at Santa Fe, August 5 - 7, 2013 Santa Fe, NM

~~We subsequently entered into a Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for EPA to work with States to obtain this information. The EPA obtained data on animal operations in thirty States.~~ Through direct communication with States, the EPA requested and obtained data on animal feeding operations in thirty states. In July 2012, EPA entered into a Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for EPA to work with states to work on data issues. ACWA did not collect, transfer, or disseminate any state data prior to EPA's FOIA response. All collection, transfer, and dissemination of data was handled by and under the control of EPA.

We subsequently entered into a Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for EPA to work with States to obtain this information. The EPA obtained data on animal operations in thirty States. Through direct communication with States, the EPA requested and obtained data on animal feeding operations in thirty states. In July 2012, EPA entered into a Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for EPA to work with states to work on data issues. ACOVA did not collect, transfer, or disseminate any state data prior to EPA's FOIA response. All collection, transfer, and dissemination of data was handled by and under the control of EPA.

From: Nagle, Deborah
Sent: Friday, June 06, 2014 5:21 PM
To: Mitschele, Becky; Yager, Scott
Subject: Progressive Farmer FOIA _ Responsive Records 11 of 11FW: EPA's Recent Release of Data on CAFOs
Attachments: NKStoner re Recent CWA FOIA Release 02-28-13.pdf

From: WIEDEMAN, ALLISON
Sent: Friday, March 1, 2013 10:17 AM
To: Nagle, Deborah
Subject: FW: EPA's Recent Release of Data on CAFOs

From: Stoner, Nancy
Sent: Friday, March 01, 2013 9:26 AM
To: formicam@nppc.org; donp@fb.org; amcdonald@beef.org; lkelley@ncfc.org; mcolville@chickenusa.org; crichter@thepolicygroup.com; dinall@unitedegg.org; rbennett@nmpf.org; pbredwell@poultryegg.org; tom.hebert@bayardridge.com
Cc: Gilinsky, Ellen; Vaught, Laura; WIEDEMAN, ALLISON; Lousberg, Macara; Borum, Denis; Borum, Denis; Peck, Gregory; Bittleman, Sarah; O'Hara, James; Garbow, Avi; Sussman, Bob; Minoli, Kevin; Bittleman, Sarah; Vaught, Laura
Subject: EPA's Recent Release of Data on CAFOs



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Michael C. Formica
Chief Environmental Counsel
National Pork Producers Council
122 C Street, N.W.
Suite 875
Washington, D.C. 20001

Dear Mr. Formica:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

The issues you raised in your letter are significant and we are reviewing them carefully. To put these issues in context, some background will be helpful.

The information included in the FOIA releases was obtained from States following our decision not to proceed with a rule requiring reporting by CAFOs under Section 308 of the Clean Water Act. During the rulemaking, states and others advised us we could obtain the information we needed to characterize the universe of CAFOs through voluntary means, including access to State databases. We subsequently entered into an Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for the EPA to work with States to obtain this information. The EPA obtained data on animal feeding operations in thirty States.

As your letter reflects, the information included in the FOIA responses was released in the same condition as it was received by the EPA from the States. It was the EPA's understanding, based on our communication with states, that the information received, and subsequently released, was all publicly available, either through a publicly accessible database or through a public records request to each state. We have subsequently confirmed that a considerable portion of the information is in fact posted on State Websites or is otherwise easily accessible.

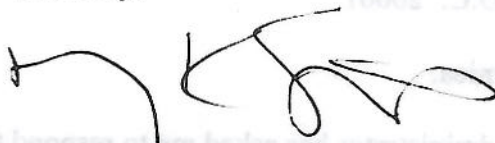
Nonetheless, prompted by your concerns, we are investigating whether the FOIA releases contained additional information that is not readily available from States or other sources and that raises privacy concerns under FOIA. The Acting Administrator has emphasized the importance of this analysis and the

need to complete it as soon as possible. In the interim, we have asked the FOIA requestors - and they have agreed -- to refrain from further dissemination of information in the FOIA responses.

My intention is to ensure that we address any legitimate privacy concerns regarding these FOIA responses consistent with the Agency's obligations under the Freedom of Information Act. In addition, we are working to ensure that any future FOIA requests for similar information are reviewed carefully to ensure that privacy-related information is protected to the extent required by FOIA.

Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Don Parrish
Senior Director, Regulatory Relations
American Farm Bureau Federation
600 Maryland Avenue, S.W.
Suite 1000W
Washington, D.C. 20024

Dear Mr. Parrish:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Ms. Ashley McDonald
Deputy Environmental Counsel
National Cattlemen's Beef Association
1301 Pennsylvania Avenue, N.W.
Suite 300
Washington, D.C. 20004

Dear Ms. McDonald:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

The issues you raised in your letter are significant and we are reviewing them carefully. To put these issues in context, some background will be helpful.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Ms. Lisa Kelley
Vice President & Chief of Staff, Government Affairs
National Council of Farmer Cooperatives
50 F Street, N.W.
Suite 900
Washington, D.C. 20001

Dear Ms. Kelley:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA)(#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

The issues you raised in your letter are significant and we are reviewing them carefully. To put these issues in context, some background will be helpful.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Ms. Mary Colville
Vice President of Government Affairs
National Chicken Council
1152 Fifteenth Street, N.W.
Suite 430
Washington, D.C. 20005

Dear Ms. Colville:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA)(#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

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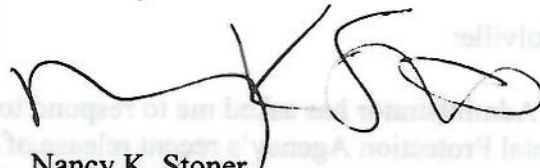
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Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Christian Richter
The Policy Group
700 12th Street, N.W.
Suite 700
Washington, D.C. 20005

Dear Mr. Richter:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy K. Stoner".

Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. David Inall
Senior Vice President
United Egg Producers
1720 Windward Concourse
Suite 230
Alpharetta, Georgia 30005

Dear Mr. Inall:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

The issues you raised in your letter are significant and we are reviewing them carefully. To put these issues in context, some background will be helpful.

The information included in the FOIA releases was obtained from States following our decision not to proceed with a rule requiring reporting by CAFOs under Section 308 of the Clean Water Act. During the rulemaking, states and others advised us we could obtain the information we needed to characterize the universe of CAFOs through voluntary means, including access to State databases. We subsequently entered into an Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for the EPA to work with States to obtain this information. The EPA obtained data on animal feeding operations in thirty States.

As your letter reflects, the information included in the FOIA responses was released in the same condition as it was received by the EPA from the States. It was the EPA's understanding, based on our communication with states, that the information received, and subsequently released, was all publicly available, either through a publicly accessible database or through a public records request to each state. We have subsequently confirmed that a considerable portion of the information is in fact posted on State Websites or is otherwise easily accessible.

Nonetheless, prompted by your concerns, we are investigating whether the FOIA releases contained additional information that is not readily available from States or other sources and that raises privacy concerns under FOIA. The Acting Administrator has emphasized the importance of this analysis and the

need to complete it as soon as possible. In the interim, we have asked the FOIA requestors - and they have agreed -- to refrain from further dissemination of information in the FOIA responses.

My intention is to ensure that we address any legitimate privacy concerns regarding these FOIA responses consistent with the Agency's obligations under the Freedom of Information Act. In addition, we are working to ensure that any future FOIA requests for similar information are reviewed carefully to ensure that privacy-related information is protected to the extent required by FOIA.

Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Ryan Bennett
Director, Government Relations
National Milk Producers Federation
2101 Wilson Boulevard
Suite 400
Arlington, Virginia 22201

Dear Mr. Bennett:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA)(#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,



Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Paul J. Bredwell
Vice President - Environmental Programs
U.S. Poultry and Egg Association
1530 Cooledge Road
Tucker Georgia 30084

Dear Mr. Bredwell:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA)(#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,

Nancy K. Stoner
Acting Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Tom Hebert
Principal
Bayard Ridge Group LLC
4440 Faraday Place, N.W.
Washington, D.C. 20016

Dear Mr. Hebert:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,

Nancy K. Stoner
Acting Assistant Administrator